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**PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael G. Lowery, *et al.*

Serial No.: 10/763,548

Filed: January 23, 2004

For: METHOD FOR DETECTING
ARTIFACTS IN DATA

Examiner: Not yet assigned

Group Art Unit: 3736

Case No.: 7286.US.O1

Certificate of Mailing under 37 CFR §1.8(a):

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MS Amendment
Commissioner for Patents
P.O. Box 1450
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Date of Deposit: October 14, 2005

Michele M. Bonke
Michele M. Bonke

TRANSMITTAL LETTER

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is the Information Disclosure Statement of Nonprovisional Application of Michael G. Lowery, *et al.* for Serial No. 10/763,548, filed January 23, 2004.

Also enclosed are:

PTO Form 1499
Copy of the PCT Search Report
Copies of Four References Cited
Return Receipt Postcard

The Commissioner is hereby authorized to charge any additional Filing Fees required under 37 CFR 1.16, as well as any patent application processing fees under 37 CFR 1.17 associated with this communication for which full payment has not been tendered, to Deposit Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**

Respectfully submitted,
Michael G. Lowery, *et al.*

23492

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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Michele M. Bonke

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and §1.97, Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is accompanied by a statement as specified by 37 C.F.R. §1.97(e).

Each item of information contained in the Information Disclosure Statement was first cited in a communication from the European Patent Office in a counterpart international PCT application not more than three months prior to the filing of the Information Disclosure Statement.

Copies of the listed documents are attached. A copy of the PCT search report is also attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute prior art. If it should be determined that any of the listed documents do not constitute prior art under United States law, Applicants

reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

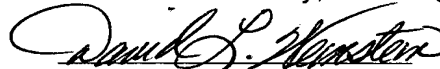
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 01-0025.

23492

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Respectfully submitted,
Michael G. Lowery, et al.

A handwritten signature in black ink, appearing to read "David L. Weinstein", written over the printed name.

David L. Weinstein
Registration No. 28,128
Attorney for Applicants

Form PTO - 1449 (Modified)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 7286.US.O1	SERIAL NO. 10/763,548
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANT Michael G. Lowery et al.	
(Use several sheets if necessary)		FILING DATE 10/23/2004	GROUP 3736
(37 CFR 1.98 (b))			

U.S.PATENT DOCUMENTS

EXAMINER INITIAL	PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUB CLASS	FILING DATE

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

		DOCUMENT NUMBER	PUBLIC- ATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUB CLASS	TRANS- LATION	
							YES	NO
	B1	95/21565	17.08.95	WO				X

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

C1		Hayes et al., "Artifact reduction in photoplethysmography", APPLIED OPTICS, Vol. 37, No.31, November 1, 1998; pp. 7437 - 7446.
C2		Gostt et al., "REAL-TIME PULSE OXIMETRY ARTIFACT ANNOTATION ON COMPUTERIZED ANAESTHETIC RECORDS". Journal of Clinical Monitoring and Computing, Vol. 17; pp. 249 - 257, 2002.
C3		Rhee, "Design and Optimization of an Artifact-Resistive Wearable Photoplethysmographic Device: The Ring Sensor", Doctoral Thesis Proposal, Department of Mechanical Engineering of the Massachusetts Institute of Technology, August 1999.
C4		Copy of the PCT Search Report.

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Form PTO-1449)